

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TAMMY JO JARECKI,

Plaintiff,

v.

UNIVERSITY OF WISCONSIN-EAU CLAIRE, and
UNIVERSITY OF WISCONSIN-EAU CLAIRE SOCIAL
WORK DEPARTMENT,

Defendants.

ORDER

14-cv-890-jdp

Plaintiff Tammy Jo Jarecki brought this case against defendants University of Wisconsin-Eau Claire (UW-EC), and UW-EC's Social Work Department, alleging that defendants defamed her character and improperly charged her tuition after promising not to do so. I dismissed the case in a May 12, 2015 order, concluding that plaintiff brought no potential federal claims and that the court could not exercise diversity jurisdiction over her claims. Dkt. 8.

Now plaintiff has submitted a letter stating that she filed this case at the end of the statute of limitations and would like this court to transfer the federal case to state court. Dkt. 10. Unfortunately for plaintiff, I have no authority to transfer a case originally filed in this court to a state court. *See, e.g., Giusti v. Morgan Stanley Smith Barney, LLC*, 581 F. App'x 34, 35 (2d Cir. 2014); *McLaughlin v. Arco Polymers, Inc.*, 721 F.2d 426, 428-29 (3d Cir. 1983); *Lee v. Hirschtritt*, 2013 WL 4016230, at *3 (N.D. Ill. Aug. 6, 2013). Accordingly, plaintiff's motion to transfer the case, Dkt. 10, is DENIED. However, this may not affect plaintiff's ability to refile her action in state court; Wisconsin Statute § 893.15(3) appears to toll Wisconsin statutes of limitations while a case is pending in federal court. I encourage plaintiff

to seek legal advice from an attorney if she remains unclear on whether to pursue her lawsuit in state court.

Entered June 11, 2015.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge